

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 19469 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?

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BOKADE NAYANA TATOBA - Petitioner(s)
Versus
THE STATE OF GUJRAT & 2 - Respondent(s)

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Appearance :

MS PRITI PANDYA for Petitioner(s) : 1,
MS REETA CHANARANA AGP for Respondent(s) : 1,
RULE SERVED for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 14/06/2006

ORAL JUDGMENT

1. The petitioner seeks direction for admission in PTC course in Marathi medium. The case of the petitioner is that she has passed SSC and HSC examinations from the Gujarat Board. She has studied in Marathi medium upto 7th

standard but on account of non easy availability of Marathi medium schools she could not pursue her studies in Marathi medium and by force she had to switch over to Gujarati as medium of instruction. Placing reliance on the government policy produced at Annexure "C" collectively, the petitioner contends that her case be equated with PTC admission in Urdu medium. The petitioner points out that in Rule 4.6.2 of the said policy the Government has decided to accept candidature of students who may not have studied in Urdu medium upto standard 12th provided they have studied atleast upto standard 7th in Urdu medium and should have secured a minimum of 60% marks in 10th and 12th Standard examinations in Urdu higher level language. It is the case of the petitioner that this relaxation was granted by virtue of interim order passed by this Court on 4th October, 1999 in Special Civil Application No. 6660/1999 passed by learned Single Judge of this Court. It is the case of the petitioner that similar benefits should be made available to students seeking PTC admission in Marathi medium also. The petitioner in the petition contends that there is paucity of Marathi medium school also in the State as is the case in Urdu medium schools. It is on account of this reason that the petitioner was forced to abandon her

studies in Marathi medium after 7th Standard.

2. The petitioner has produced on record at page 32 of the compilation order dated 4/10/99 passed by learned Single Judge of this Court in Special Civil Application No. 6660/99.

3. I have perused the material on record and heard learned AGP Ms. Reeta Chandarana for the respondent. It is true that considering the paucity of Urdu medium schools, by virtue of interim order passed by this Court the State Government has given certain relaxation for HSC pass students seeking admission in PTC course in Urdu medium. It is also true that no such relaxation has been granted to Marathi medium schools. Whether similar case is made out for Marathi medium PTC course also and whether there is dearth of Marathi medium schools are questions which need not be gone into in this petition. As noted above the Government policy permits a person to seek admission in PTC in Urdu medium provided the student has persuaded his or her studies in Urdu medium atleast till 7th Standard and had also secured not less than 60% marks in Urdu higher language in SSC as well as HSC examinations. From the mark-sheets produced by the

petitioner in her SSC as well as HSC results it is revealed that she did not have Marathi as a higher level language in her SSC course. In fact she has not passed Marathi examination in standard 10th at all. Thus, quite apart from any other consideration, even while equating the petitioner as is sought to be urged; with Urdu medium students, the petitioner does not fulfill the necessary condition. On this ground alone the petitioner cannot seek admission in PTC in Marathi medium. Petition is, therefore, rejected. Rule is discharged. No order as to costs.

(Akil Kureshi, J.)

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